

SEP 13 1957

Honorable Jacob K. Javits
United States Senate
Washington 25, D. C.

Dear Senator Javits:

On 27 August 1957 you requested a report on a letter dated 22 August 1957 which you received from [redacted] in a previous letter to you of 29 July 1957 this Agency reported to you on this case.


In accordance with normal appeal procedures, [redacted] and his attorney, [redacted] made a personal appeal of his case to the Acting Director of Central Intelligence. The decision of the Agency affirmed that [redacted] did not qualify for continued employment with the Agency on the grounds of medical disability. [redacted] has been advised of this determination in writing and, in addition, has been informed that we have arranged to maintain him in a pay status with the Agency until 28 October 1957 at which time he will be separated from the rolls of the Agency.

In the meantime the Agency has reopened the involuntary application for disability retirement which had been filed on behalf of [redacted] with the Civil Service Commission. This action was taken on the assurance of [redacted] that he would appear before Civil Service doctors for examination which previously he had declined to do. An alternative remedy is also being pursued by [redacted] and on his behalf we have processed a claim and transmitted it to the Bureau of Employees' Compensation on the basis of [redacted] allegation that his disability, if any, has been caused by conditions of employment with the Agency.

In addition to all of the above actions, [redacted] has asserted that he intends to appeal the decision of the Agency to the Civil Service Commission and to the courts, if necessary. At this time we believe the Agency has fulfilled its obligations to [redacted] as an employee and taken the proper action under the circumstances in the case.

The letter which you referred to this Agency is enclosed.
If any further details on this case are desired, we shall be pleased
to furnish them.

Very truly yours,


John S. Warner
Legislative Counsel

Attachment

OGC/JSW:mks (12 September 1957)

cc: Orig & 1 - Addressee
1 - Personnel
1 - OGC Subject
1 - OGC Chrono (no circ.)